

## HUMAN SERVICES DEPARTMENT[441]

### Notice of Intended Action

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code section 249A.4, the Department of Human Services proposes to amend Chapter 75, “Conditions of Eligibility,” Iowa Administrative Code.

The purpose of this amendment is to revise Medicaid eligibility rules for the Iowa Family Planning Network. Specifically, this amendment will:

1. Delete the requirement concerning health insurance coverage.
2. Delete the requirement concerning HAWK-I coverage.
3. Revise the maximum income standard to reflect the Modified Adjusted Gross Income (MAGI) deduction of 5 percent of the gross income effective January 1, 2014.

This amendment will allow Iowa residents to qualify for the Iowa Family Planning Network when:

- They have other health insurance coverage.
- They are covered by the HAWK-I program.
- Their MAGI is 305 percent of the federal poverty level for their household size.

Any interested person may make written comments on the proposed amendment on or before June 6, 2013. Comments should be directed to Harry Rossander, Bureau of Policy Coordination, Department of Human Services, Hoover State Office Building, 1305 East Walnut Street, Des Moines, Iowa 50319-0114. Comments may be sent by fax to (515)281-4980 or by e-mail to [policyanalysis@dhs.state.ia.us](mailto:policyanalysis@dhs.state.ia.us).

Persons may also present their views orally or in writing at five public hearings that will be held as follows:

June 4, 2013	9 to 10 a.m.	Department of Human Services Western Service Area Pottawattamie County DHS Office, ICN Room 417 E. Kanesville Blvd. Council Bluffs, Iowa
June 4, 2013	9 to 10 a.m.	Department of Human Services Des Moines Service Area River Place, Room 1 2309 Euclid Avenue Des Moines, Iowa
June 4, 2013	1:30 to 2:30 p.m.	Department of Human Services Scott County DHS Office Administrative Bldg. Board Room, 1st Floor 600 West 4th Street Davenport, Iowa
June 5, 2013	9:30 to 10:30 a.m.	Department of Human Services Cedar Rapids Service Area Iowa Building, 5th Floor ICN Room 411 3rd Street SE Cedar Rapids, Iowa
June 6, 2013	10 to 11 a.m.	Department of Human Services Black Hawk County DHS Office, Room 220 1407 Independence Avenue Waterloo, Iowa

At the hearings, persons will be asked to give their names and addresses for the record and to confine their remarks to the subjects of the amendment. Written statements from attendees are also encouraged. Any person who intends to attend a public hearing and has special requirements, such as those related to mobility or hearing impairments, should contact the Department to advise of any specific needs.

This amendment does not provide for waivers in specific situations because all members should be subject to the same eligibility requirements. Requests for the waiver of any rule may be submitted under the Department's general rule on exceptions at 441—1.8(17A,217).

After analysis and review of this rule making, no impact on jobs has been found.

This amendment is intended to implement Iowa Code section 249A.4.

The following amendment is proposed.

Amend paragraph **75.1(41)“a”** as follows:

*a. Eligibility.* The following are eligible for assistance under this coverage group if they are ~~uninsured or have health insurance that does not include family planning services~~, are not otherwise enrolled in Medicaid (other than IowaCare), ~~and are not enrolled in the Children's Health Insurance Program (HAWK-I)~~:

(1) Women who were Medicaid members when their pregnancy ended and who are capable of bearing children but are not pregnant. Eligibility for these women extends for 12 consecutive months after the month when their 60-day postpartum period ends.

(2) Women who have reached childbearing age, are under 55 years of age, are capable of bearing children but are not pregnant, and have income that does not exceed ~~300~~ 305 percent of the federal poverty level, as determined according to paragraph 75.1(41)“c.”

(3) Men who are under 55 years of age, who are capable of fathering children, and who have income that does not exceed ~~300~~ 305 percent of the federal poverty level, as determined according to paragraph 75.1(41)“c.”